

Notes of Conversation between IDWR and Doug Rosenkrance, Water District 34 Watermaster, and Ron Schnabel, BLRID Manager, August 19, 1999. IDWR Participants: Norm Young, Tim Luke and Sheryl Howe. (Prepared by T. Luke)

I. Discussed Need to Respond to Ellwein/Huggins Letter of August 8, 1999

Ron Schnabel advised that he had not responded to this letter. He thought it might be appropriate for other BLRID directors to provide a response. Norm Young advised that IDWR had not responded yet. Norm stated later that he would prepare a response on behalf of the department.

Ron said that the BLRID board of directors had unanimously agreed not to deliver storage water to any user who is located outside of the BLRID. Both Ron and Doug said that as of today (Aug. 19) there is no storage water going out of the district with the exception of the McDonald re-diversion pump on the Arco Canal. McDonald is a lessee of the Buzz Banta injection well. Apparently, the re-diversion pump had been exceeding the injection well, and there may have been one or two days where the injection well was off and the re-diversion pump was on. Harvey Walker is downstream of McDonald re-diversion pump and is concerned he may not be getting all his water delivered. Ron and Doug seemed to have some questions as to who owns this section of canal. The land irrigated by the McDonald pump is located outside of the BLRID.

Additional discussion regarding difficulty in controlling and measuring injection wells and ditch pumps. There was some suggestion that all users on canals may need to have some physical means for controlling and measuring diversions. Diversion boxes with submerged orifices and control gates were suggested, as well as diversion ponds with control gates. In McDonald case, he has no other sources of water such as storage or ground water. The decreed rights had been cut. The BLRID ditch rider measures both the injection well and re-diversion pump, but in doing so, he is really measuring the ground water diversion and re-diversion pump primarily as a Water District 34 deputy watermaster. Doug asked who had authority to control or shut down the McDonald re-diversion pump. Norm and Tim concurred that Doug should have this authority. Doug asked what he should do if McDonald refuses to shut his pump off. Norm advised that the Department could initiate a notice of violation procedure if McDonald refused to shut off, but acknowledged that there may be some legal question as to whether IDWR can do this within a water district. Norm committed to assisting the water district in any way to assure control of this diversion.

Discussion of General Delivery Protocol:

Doug, as water district watermaster, calls natural flow or decreed priority dates as determined by the IDWR water rights accounting program. The accounting program shows the amount of natural flow and storage water delivered to the canal on a daily basis. It also shows storage water accrued to the ditch over the season. The BLRID ditch riders get orders for deliveries on their respective canals and then control the head gates accordingly in order to satisfy those demands. Doug and IDWR agree that the BLRID ditch riders are acting as deputy water masters when they are setting the head gates to

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meet the BLRID calls for water. IDWR discussed the need to make sure that the ditch riders are formally deputized in the future. We also discussed the need to document the calls or orders for water made by the BLRID. In other words, the BLRID should formalize the orders by putting them down on paper and submitting or turning them into the water district watermaster. It is important that the BLRID ditch riders record the orders and get those orders to the watermaster. The submittal of the orders to the watermaster could be on a daily basis or on a weekly basis. They could also perhaps be turned in to Doug when they turn in the ditch measurements, which is usually twice per week.

Rotation:

Discussed seven-day overdraft policy within BLRID. This sometimes problematic since a user may overdraft but can't pay back because the natural flow right he is drafting on is cut and does not come back on. Rotation sometimes done by users outside of the BLRID. A user does not necessarily have to own a storage account with BLRID to do rotation. Users outside of the district who may rotate decreed rights might also pay assessments to the district.

Discussion of individual points of Ellwein/Huggins Letter:

There was general agreement that "the BLRID Directors have management control of the Mackay Reservoir, including the notification of to storage owners the amount of water they have been allocated for each season."

There was also general agreement with the second sentence of the second paragraph that the delivery of storage water, decreed water and pumped water is the responsibility of the water district watermaster, and that the BLRID ditch riders also work for the water district watermaster to deliver this water. Again, we all agreed that for the ditch riders to formally work in this role they should be formally deputized.

Fourth paragraph of letter concerning the statement: "the undersigned BLRID Board of Directors have not authorized water delivery to individuals that do not have decrees on, have no supplemental wells, nor storage water or rotation credits, nor have we allowed huge continuing and accumulating overdrafts, as stated in #9 of Mr. Schnabel's letter.

We also are not party to delivering storage water outside of the district"

Ron stated, and Doug agreed that this statement is not true or at least not accurate. Ron said the directors voted to allow continued delivery of storage water to users with no storage or rotation credits, decreed rights on, or supplemental ground water as long as those users were within the irrigation district. Ron indicated that the Board discussed the fact that the Reservoir would be some 30 to 35 percent full at the end of the year. This projection apparently provided much of the justification for allowing delivery of storage to those individuals who had started irrigating but now had no other source of water. Ron reiterated that the minutes of the two Board meetings confirmed that users within the irrigation district could continue to overdraft as long as those users are within the irrigation district. Ron concluded that nobody within the irrigation district was to be shut off. Ron again said that the Board was clear and unanimous that the storage could only go to those users inside the district. Again, both Ron and Doug said that nobody outside

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of the district was currently receiving storage water except for McDonald. Doug planned to contact McDonald the following day and have his diversion shut off. Again, Norm offered IDWR assistance should McDonald refuse to comply with the watermaster. Norm cautioned that both the watermaster and the BLRID must be in agreement that these overdraft users are indeed using storage water and that they are authorized to use storage water by the BLRID.

Other Issues Concerning Water District:

1) Status of Alder Creek

Weirs had not been installed on creek yet. Doug had planned to install a parshall flume in the creek above Darlington Ditch but probably can't get it done until this fall. Norm advised that he could put in a rated section, but Doug did not feel that would work well since the creek channel can change. It was also mentioned that the users can read a flume directly themselves. Doug had some concern about our guidance document requiring measurement near the confluence of Alder Creek and Vanous Ditch rather than at the river. Norm said the document could be changed if necessary.

2) Status of Warm Springs Creek

Doug reviewed status of complaints and problems related to the Hatchery Canal and Warm Springs Creek between Stoecklein and some of the canal users. Although there are some problems and concerns, things seem to be running pretty well with the new deputy watermaster. There did not seem to be a need to involve IDWR any further at this point.

3) Water Right Accounting Program Updates

Tim and Sheryl advised that Sheryl is working on adding reaches above the reservoir to the accounting program. There was some discussion about including the Chilly Bridge reach as described in the rules. Doug said there are a number of larger diversions in this reach. We discussed gaging options. Doug was pessimistic about the district funding a gage. A steel staff gage is already mounted to the bridge. Tim mentioned that DWR could work on developing a rough rating. Sheryl mentioned that gages in some accounting programs are inserted using a correlation relationship with other sites. This depends on what data is available for the area.

4) Measurement of Canals and re-diversions

Tim mentioned that during his GPS and inventory of some of the diversions on a recent trip, he found one canal heading measuring device missing and installation problems with a second. Tim also passed along the Ellwein's verbal comments regarding lack of measuring devices on many of the canal re-diversions, including pumps.

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